

# New rules may bring back cranberry bogs

By Scott Allen  
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## State eases wetland restrictions

**CARVER** - The drainage ditches, dikes and even the irrigation pipes are still visible beneath the overgrowth of swamp maple trees, reminders of the commercial cranberry bog that flourished on this spot until the mid-1980s.

But when Chris Makepeace wanted to start growing cranberries again on the land, he found it could cost his company more than \$100,000 to win state approval.

Though farmers create cranberry bogs, state officials explained, the

bogs become protected wetlands once they are abandoned, and special permission is required to alter them.

Yesterday, Makepeace dusted off his five-year-old plans for a cranberry bog as the Department of Environmental Protection adopted rules that could return 1,000 acres of abandoned cranberry bogs to cultivation soon.

"Why do we need to regulate" abandoned cranberry bogs "the same way we regulate the Garden of Eden?" asked DEP commissioner David Struhs, announcing the streamlined wetland rules at A. D. Makepeace Co.'s abandoned bog. "What we are celebrating here is the victory of common sense."

The new rules, criticized by environmentalists, are a boost for the state's biggest agricultural industry, which last year fell behind Wisconsin for the national lead in berry production.

Land prices in Massachusetts' cranberry region are rising as suburbia expands, making abandoned bogs increasingly attractive to farmers who want to expand.

"We grow in somewhat of a suburban environment, much more so than Wisconsin," said Makepeace, president of Wareham-based Make-

peace Co. "This could mean the difference for some small growers ... and possibly allow them to stay in business."

Environmentalists objected to the rules, which were required by the Legislature under last year's Rivers Protection Act. They argued protection for ecologically rich wetlands was weakened. But the rules that took effect yesterday were far less sweeping than what activists originally had feared.

"Although this is not the best result, it's better than what was coming down the pike," said Paul Wingle, vice president for legislation and policy at the Environmental League of Massachusetts. "What we have is an acceptable minimum."

Pressure to relax wetland protections on cranberry bogs has been building for years as consumer demand for cranberry products has prompted growers to add about 2,000 acres of bogs in the last eight years. Bogs now cover 14,400 acres, mostly in southeastern Massachusetts and on Cape Cod.

The bogs, many of them dropped after a 1959 pesticide scare sent the industry into a tailspin, seemed an obvious focus for expansion. But once bogs are left uncultivated for five years, the Massachusetts Wet-

lands Protection Act gives them the same legal protection given natural wetlands, as many of them were before farmers irrigated them.

Under the new rules, abandoned bogs would be exempted from that law if they meet several conditions. For example, the bog must be adjacent to land already under cultivation and cannot be located near a drinking water supply or navigable stream.

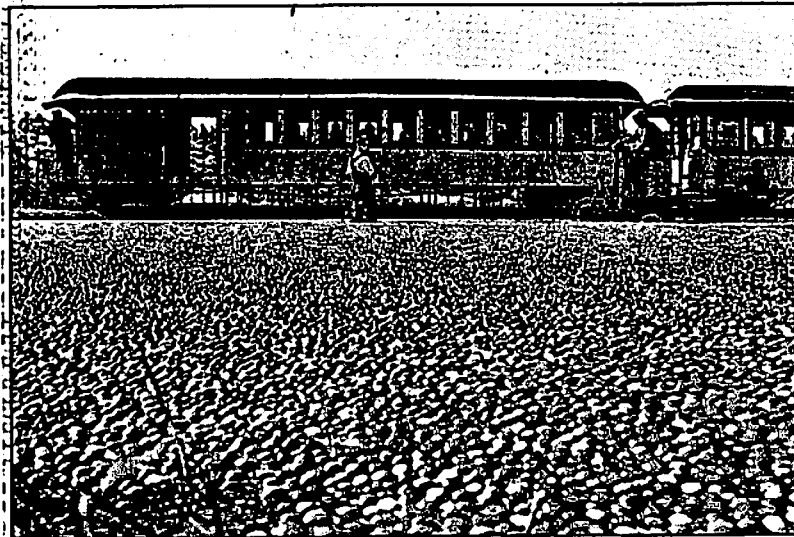
DEP officials estimated that only about 1,000 acres of the state's 3,500 acres of abandoned bogs would qualify, but, for those lucky owners, the gain would be substantial. Instead of a labyrinthine process of local and state review that can require a costly environmental impact report, they would get almost automatic DEP approval.

"The regulations are very generous," said Makepeace.

State Food and Agriculture Commissioner Jay Healy argued that the relaxed rules could actually improve environmental protection by encouraging cranberry bogs instead of housing developments.

For every acre of bog, farmers need four to five acres of undeveloped land as a buffer, he said.

"The cranberry industry contributes over \$1 billion to our local economy and preserves more than 70,000 acres of valuable Massachusetts open space," said Healy.



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**New wetlands rules are a boost for the state's biggest agricultural industry, which last year fell as the leader in cranberry production.**